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Counsel for Defendant LAUREANO DE ROMERO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 4-11-70920-MAG
)	
Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	HEARING DATE TO OCTOBER 28, 2011
v.)	AND TO EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT AND ORDER
)	
MARIVEL LAUREANO DE ROMERO,)	
)	
Defendant.)	Hearing Date: September 30, 2011
)	Time: 9:30 a.m.
_____)	

The above-captioned matter is set on September 29, 2011 before the Oakland Duty Magistrate for a status hearing. The parties jointly request that the Court continue the matter to October 28, 2011 at 9:30 a.m. before the Oakland Duty Magistrate for PRELIMINARY HEARING/ARRAIGNMENT and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§ 3161(b),(h)(7)(A) and (B)(iv), between the date of this Stipulation and October 28, 2011. Under Fed. R. Crim. P. 5.1(d), the defendant consents to an extension of the time limit within which to hold a Preliminary hearing under Fed. R. Crim. P. 5.1(c).

Defendant Marivel Laureano de Romero is currently residing, on unsecured bond, outside of the State of California.. The requested continuance will allow the defendant to review and discuss the evidence in this case and a pending plea offer. In addition, due to distance,

1 additional time is required for travel arrangements and consultation between counsel and client.
2 For these reasons, the parties agree that the failure to grant this continuance would unreasonably
3 deny counsel for defendant the reasonable time necessary for effective preparation, taking into
4 account the exercise of due diligence.

5 The parties further stipulate and agree that the ends of justice served by this continuance
6 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the
7 parties agree that the period of time from the date of this stipulation to October 28, 2011, should
8 be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
9 3161(b),(h)(7)(A) and (B)(iv), for effective preparation of defense counsel and the transfer of
10 this case, taking into account the exercise of due diligence.

11
12 /S/

13 DATED: September 29, 2011

ANDREW HUANG
Assistant United States Attorney

15 /S/

16 DATED: September 29, 2011

JOHN PAUL REICHMUTH
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. That the defense needs time review the case and plea offer with Ms. Laureano de
Romero, who resides out of state;

2. That these tasks are necessary to the defense preparation of the case and that the
failure to grant the requested continuance would unreasonably deny counsel for defendant the
reasonable time necessary for effective preparation, taking into account the exercise of due
diligence;

3. That the ends of justice served by this continuance outweigh the best interest of
the public and the defendant in a speedy trial;

4. Through counsel, defendant consents to an extension of time in which to hold a
Preliminary Hearing under Fed. R. Crim. P. 5.1(c).

Based on these findings, it is hereby

ORDERED that the PRELIMINARY HEARING/ARRAIGNMENT date of September
30, 2011, scheduled at 9:30 a.m., before the Honorable Donna M. Ryu, be vacated and reset for
October 28, 2011, at 9:30 a.m., before the sitting United States Magistrate Judge for
PRELIMINARY HEARING/ ARRAIGNMENT. It is further

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ORDERED that time be excluded pursuant to the Speedy Trial Act, 18 U.S.C. §§

1 3161(b),(h)(7)(A) and (B)(iv), from the date of this Stipulation until October 28, 2011. It is
2 further

3
4
5
6 September 30, 2011


HON. DONNA M. RYU
United States District Judge